

Construct  
Overhead Structure

Declaratory  
Improvement Res. No. 872 - 1953

For Schenkel Realty, Inc., to construct an overhead structure connecting a part of the real estate abutting on both sides of the first alley south of Baker Street. Real estate owned - Lots twenty-nine (29), thirty (30) and thirty-one (31).

Resolution Adopted:

March 26, 1953

Confirmed:

April 16, 1953

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

May 21, 1953

DECLARATORY RESOLUTION  
NUMBER 872 - 1953

WHEREAS, Schenkel Realty, Inc., owner of Lots numbered twenty-nine (29), thirty (30) and thirty-one (31) in Baker's Addition to the City of Fort Wayne, in Allen County, Indiana, which real estate immediately abuts on the north side of the first alley south of Baker Street in said City of Fort Wayne, and The Pennsylvania Railroad Company operating the Pittsburgh, Fort Wayne and Chicago Railway Company, owner of the real estate which immediately abuts on the south side of said alley opposite said lots numbered twenty-nine (29), thirty (30) and thirty-one (31), and as such owners of the real estate constituting that part of said alley herein described, subject only to the easement of the public therein and for proper highway purposes, having filed a petition in writing by said owners with the Board of Public Works of said City of Fort Wayne requesting the permission to construct an overhead structure connecting a part of the real estate abutting on both sides of that part of such alley described in said petition, and

WHEREAS, said owners having also filed with said Board of Public Works plans and specifications for said overhead structure, and

WHEREAS, said Board of Public Works having determined that the construction and maintenance of an overhead structure over a part of said alley would not be detrimental to or inconsistent with free use of the easement of the public in such alley and that such overhead structure would be beneficial to the public by permitting private passageway over a part of said alley which would relieve the congestion and traffic on public streets and alleys, and

WHEREAS, said Board of Public Works desires to grant said petition, provided that no part of said overhead structure shall be constructed below sixteen (16) feet above the surface of such alley measured in perpendicular lines.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Public Works of the City of Fort Wayne, Indiana desires to and hereby grants the petition heretofore filed with it by Schenkel Realty, Inc., owner of Lots numbered twenty-nine (29), thirty (30) and thirty-one (31) in Baker's Addition to the City of Fort Wayne, in Allen County, Indiana, which real estate immediately abuts on the north side of the first alley south of Baker Street in said City of Fort Wayne and The Pennsylvania Railroad Company operating the Pittsburgh, Fort Wayne and Chicago Railway Company, owner of the real estate which immediately abuts on the south side of said alley opposite said Lots twenty-nine (29), thirty (30) and thirty-one (31), and as such owners of the real estate constituting that part of said alley herein described subject only to the easement of the public therein and for proper highway purposes, respectfully requesting the permission to construct and maintain an overhead structure connecting the real estate abutting on both sides of that part of the alley above described, provided that said overhead structure shall be constructed in conformance with the plans and specifications therefor heretofore filed with said Board of Public Works and provided further that no part of said overhead structure shall be constructed below sixteen (16) feet above the surface of such alley measured in perpendicular lines.

BE IT FURTHER RESOLVED, that notice of this resolution be published in the Fort Wayne News-Sentinel, and in the Fort Wayne Journal-Gazette, each a newspaper of general circulation published in said City of Fort Wayne, once each week for two consecutive weeks and that such notice name April 16, 1953, at 7:30 o'clock P.M., the same to be a date not less than ten (10) days after the last publication, at which said Board of Public Works will receive or hear remonstrances from persons interested or affected by such proceeding.

✓ BE IT FURTHER RESOLVED, that said Board of Public Works shall consider such remonstrances, if any, and thereupon take final action, confirming, modifying or rescinding its original resolution,

3.

which action shall be final and conclusive on all persons.

BOARD OF PUBLIC WORKS OF THE CITY OF  
FORT WAYNE, INDIANA

By

B. J. Swanson

Robert G. Beams

Robert G. Beams

Orin M. Darling

Orin M. Darling

Attest:

Frank K. Ross

Frank K. Ross

Secretary

WHEREAS, Schenkel Realty, Inc., owner of Lots numbered twenty-nine (29), thirty (30) and thirty-one (31) in Baker's Addition to the City of Fort Wayne, in Allen County, Indiana, which real estate immediately abuts on the north side of the first alley south of Baker Street in said City of Fort Wayne, and The Pennsylvania Railroad Company operating the Pittsburgh, Fort Wayne and Chicago Railway Company, owner of the real estate which immediately abuts on the south side of said alley opposite said Lots numbered twenty-nine (29), thirty (30) and thirty-one (31), and as such owners of the real estate constituting that part of said alley herein described, subject only to the easement of the public therein and for proper highway purposes, having filed a petition in writing by said owners with the Board of Public Works of said City of Fort Wayne on March 26, 1953, requesting the permission to construct an overhead structure connecting a part of the real estate abutting on both sides of that part of such alley described in said petition, and

WHEREAS, said owners having also filed with said Board of Public Works plans and specifications for said overhead structure, and

WHEREAS, said Board of Public Works having determined that the construction and maintenance of an overhead structure over a part of said alley would not be detrimental to or inconsistent with free use of the easement of the public in such alley and that such overhead structure would be beneficial to the public by permitting private passageway over a part of said alley which would relieve the congestion and traffic on public streets and alleys, and

WHEREAS, said Board of Public Works desired to grant said petition, provided that no part of said overhead structure shall be constructed below sixteen (16) feet above the surface of such alley measured in perpendicular lines, and

WHEREAS, said Board of Public Works, by resolution duly adopted on March 26, 1953, did grant said petition, which resolution provided

that notice of the resolution be published in the Fort Wayne News-Sentinel and in the Fort Wayne Journal-Gazette, each a newspaper of general circulation published in said City of Fort Wayne, once each week for two (2) consecutive weeks and that such notice name April 16, 1953, at 7:30 o'clock P.M., the same to be a date not less than ten (10) days after the last publication, at which said Board of Public Works would receive or hear remonstrances from persons interested or affected by such proceeding and that said Board of Public Works would, thereupon, take final action, confirming, modifying or rescinding its resolution, which action would be final and conclusive on all persons, and

WHEREAS, said notice of said resolution was so published as shown in the Proofs of Publication of said notices, which proofs are attached hereto as parts hereof marked Exhibits "A" and "B", and this being the date and time fixed in said notice at which said Board of Public Works will receive or hear remonstrances from persons interested or affected by such proceeding and this being the date and time fixed in said notice that said Board of Public Works shall consider said remonstrances, if any, and thereupon take final action, confirming, modifying or rescinding its resolution, which action shall be final and conclusive on all persons, and

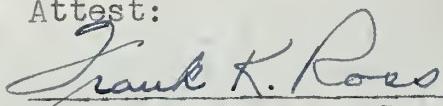
WHEREAS, said Board of Public Works has received no remonstrances concerning such proceeding.

NOW, THEREFORE, Be it resolved, that the Board of Public Works of the City of Fort Wayne, Indiana, hereby does now confirm its original resolution in this matter, which original resolution was duly adopted on March 26, 1953.

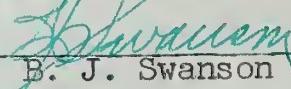
Be it further resolved, that this action by said Board of Public Works shall be final and conclusive on all persons.

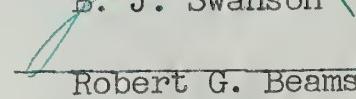
BOARD OF PUBLIC WORKS OF THE CITY OF  
FORT WAYNE, INDIANA

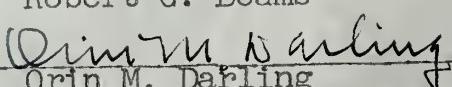
Attest:

  
Frank K. Ross      Secretary

By

  
B. J. Swanson

  
Robert G. Beams

  
Orin M. Darling

PETITION FOR PERMISSION TO CONSTRUCT AND  
MAINTAIN AN OVERHEAD STRUCTURE

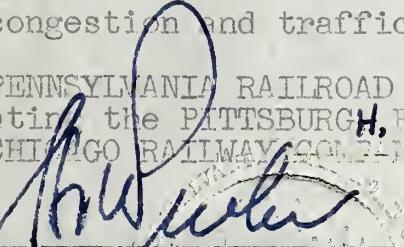
Fort Wayne, Indiana  
March 13, 1953

To the BOARD OF PUBLIC WORKS of the CITY OF FORT WAYNE, INDIANA:

Gentlemen:

The undersigned, Schenkel Realty, Inc., owner of Lots numbered twenty nine (29), thirty (30) and thirty one (31) in Baker's Addition to the City of Fort Wayne, in Allen County, Indiana, which real estate immediately abuts on the north side of the first alley south of Baker Street in said City of Fort Wayne and The Pennsylvania Railroad Company operating the Pittsburgh, Fort Wayne and Chicago Railway Company, owner of the real estate which immediately abuts on the south side of said alley opposite said Lots twenty nine (29), thirty (30) and thirty one (31), and as such owners of the real estate constituting that part of said alley herein described subject only to the easement of the public therein and for proper highway purposes, respectfully request the permission to construct and maintain an overhead structure connecting the real estate abutting on both sides of that part of the alley above described. The undersigned hereby represent that the construction and maintenance of such an overhead structure over said alley would not be detrimental to or inconsistent with the free use of the easement of the public in such alley and that such overhead structure would be beneficial to the public by permitting private passageway over said alley which would relieve the congestion and traffic on public streets and alleys.

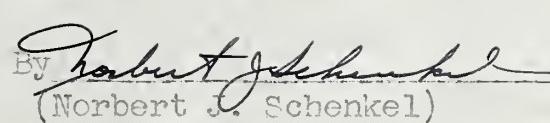
THE PENNSYLVANIA RAILROAD COMPANY  
operating the PITTSBURGH, FORT WAYNE  
AND CHICAGO RAILWAY CO., LTD.

By   
(H. H. Revler) Vice-President

Attest:

  
(Bayard H. Roberts) Assistant Secretary

SCHENKEL REALTY, INC.

By   
(Norbert J. Schenkel)  
President

Attest:

  
(Cletus P. Schenkel)  
Secretary

NOTICE OF RESOLUTION RESPECTING CONSTRUCTION  
AND MAINTENANCE OF OVERHEAD STRUCTURE

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Board of Public Works of the City of Fort Wayne, Indiana, has adopted a resolution granting a petition of Schenkel Realty, Inc., and The Pennsylvania Railroad Company operating the Pittsburgh, Fort Wayne and Chicago Railway Company, owners of the real estate immediately abutting on both sides of the first alley south of Baker Street and extending along the south line of Lots twenty-nine (29), thirty (30) and thirty-one (31) in Baker's Addition to the City of Fort Wayne, in Allen County, Indiana, to construct and maintain an overhead structure over a part of said alley, which resolution together with the plans and specifications for said structure are on file with said Board of Public Works. Notice is further given that, on April 16, 1953, at 7:30 o'clock P.M., said Board of Public Works will receive or hear remonstrances from persons interested in or affected by such proceeding and shall consider such remonstrances, if any, and thereupon take final action, confirming, modifying or rescinding its original resolution, which action shall be final and conclusive on all persons.

Dated at Fort Wayne, Indiana, this 26th day of March, 1953.

BOARD OF PUBLIC WORKS OF THE CITY OF  
FORT WAYNE, INDIANA

By B. J. Swanson  
Robert G. Beams  
Orin M. Darling

Attest:

Frank K. Ross, Secretary

NOTE TO PUBLISHER:

Please publish the above notice in the Fort Wayne News-Sentinel and the Fort Wayne Journal-Gazette on March 28 and April 4, 1953, and forward proof of publication thereof together with statement of charges to Board of Public Works, City Hall, Fort Wayne, Indiana.

Notice of Resolution Respecting  
Construction and Maintenance  
Of Overhead Structure

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Board of Public Works of the City of Fort Wayne, Indiana, has adopted a resolution granting a petition of Schenkel Realty, Inc., and The Pennsylvania Railroad Company operating the Pittsburgh, Fort Wayne and Chicago Railway Company, owners of the real estate immediately abutting on both sides of the first alley south of Baker Street and extending along the south line of Lots twenty-nine (29), thirty (30) and thirty-one (31) in Baker's Addition to the City of Fort Wayne, in Allen County, Indiana, to construct and maintain an overhead structure over a part of said alley, which resolution together with the plans and specifications for said structure are on file with said Board of Public Works. Notice is further given that, on April 16, 1953, at 7:30 o'clock P.M., said Board of Public Works will receive or hear remonstrances from persons interested in or affected by such proceeding and shall consider such remonstrances, if any, and thereupon take final action, confirming, modifying or rescinding its original resolution, which action shall be final and conclusive on all persons.

Dated at Fort Wayne, Indiana, this 26<sup>th</sup> day of March, 1953.

Board of Public Works of the City of Fort Wayne, Indiana.

BY B. J. SWANSON,  
ROBERT G. BEAMS,  
ORIN M. DARLING,

ATTEST:  
Frank K. Ross, Secretary.  
3-28. 4-4.

FORT WAYNE NEWSPAPERS, Inc.

AGENT  
227 E. WASHINGTON ST.  
FORT WAYNE 2, INDIANA



THE NEWS-SENTINEL  
THE JOURNAL-GAZETTE

Board of Public Works,  
City Hall  
Fort Wayne, Indiana

Invoice No.

J-1397

Date April 6, 1953

Terms—Cash

| DATE           | DESCRIPTION  | AMOUNT |
|----------------|--|--------|
| 3/28/ 4/4/1953 | Publishing Legal Notice<br>Notice of Res. Respecting Construction and Maintenance of<br>Overhead Structure<br>43 Lines @ 22½¢<br><br><i>Paid by check<br/>Newkirk, Keane + Kowalczyk</i> | 9 68   |

**Notice of Resolution Respecting  
Construction and Maintenance  
Of Overhead Structure**

**TO WHOM IT MAY CONCERN:**  
Notice is hereby given that the Board of Public Works of the City of Fort Wayne, Indiana, has adopted a resolution granting a petition of Schenkel Realty, Inc., and The Pennsylvania Railroad Company operating the Pittsburgh, Fort Wayne and Chicago Railway Company, owners of the real estate immediately abutting on both sides of the first alley south of Baker Street and extending along the south line of Lots twenty-nine (29), thirty (30) and thirty-one (31) in Baker's Addition to the City of Fort Wayne, in Allen County, Indiana, to construct and maintain an overhead structure over a part of said alley, which resolution together with the plans and specifications for said structure are on file with said Board of Public Works. Notice is further given that, on April 16, 1953, at 7:30 o'clock P.M., said Board of Public Works will receive or hear remonstrances from persons interested in or affected by such proceeding and shall consider such remonstrances, if any, and thereupon take final action, confirming, modifying or rescinding its original resolution, which action shall be final and conclusive on all persons.

Dated at Fort Wayne, Indiana, this  
26th day of March, 1953.  
Board of Public Works of the City of  
Fort Wayne, Indiana,

BY B. J. SWANSON,  
ROBERT G. BEAMS,  
ORIN M. DARLING,

ATTEST:  
Frank K. Ross, Secretary.  
3-28. 4-4.

FORT WAYNE NEWSPAPERS, Inc.

AGENT  
227 E. WASHINGTON ST.  
FORT WAYNE 2, INDIANA

**Paid**  
MAY 5 1953  
FORT WAYNE NEWSPAPERS, INC.  
BY *[Signature]*

THE NEWS-SENTINEL  
THE JOURNAL-GAZETTE

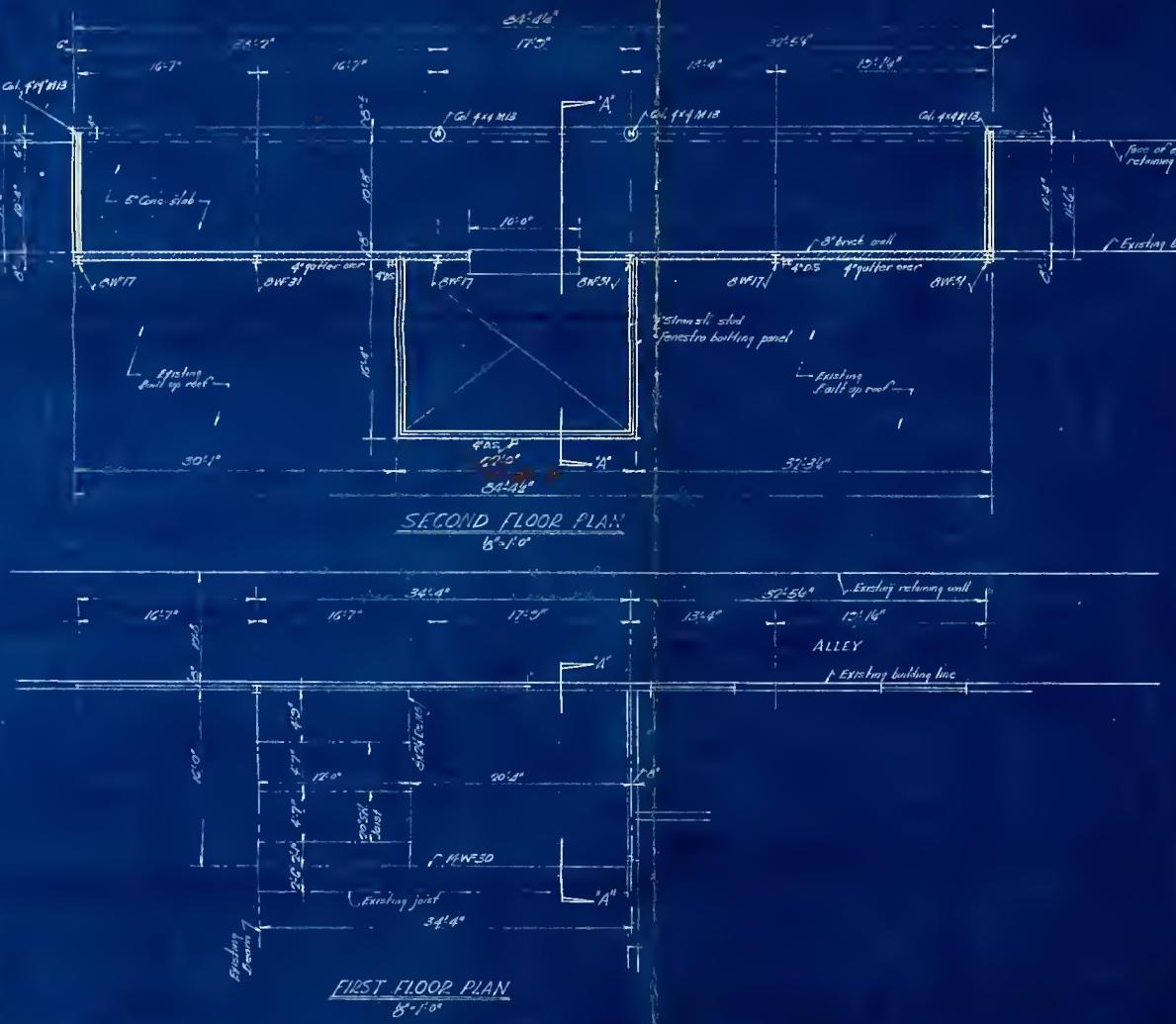
Board of Public Works,  
City Hall  
Fort Wayne, Indiana

Invoice No. N-1344

Date April 6, 1953

Terms—Cash

| DATE          | DESCRIPTION  | AMOUNT |
|---------------|--|--------|
| 3/28-4/4/1953 | Publishing Legal Notice<br>Notice of Res. Respecting Construction and Maintenance of<br>Overhead Structure<br>43 Lines @ .22 $\frac{1}{2}$ %<br><i>Paid by check<br/>New Kirk-Keane + Kowalzky</i> | 9 68   |



| Revisions |      | Drawing No. | PROPOSED SHELTER FOR MAIL PASSOVER     |   |                |
|-----------|------|-------------|--|---|----------------|
| 6.        | Date | By          | POST OFFICE GARAGE<br>FORT WAYNE, IND. |   |                |
|           |      | Traced      |  |   |                |
|           |      | Checked     |  |   |                |
|           |      | Approved    | Date:<br><u>3-2-53</u>                 | HINRECHT<br>ASSOCIATES                          | Sheet No.<br>1 |
|           |      |             | Comm. No.<br><u>5202 A</u>             | ARCHITECT • ENGINEER<br>FORT W. WAYNE, IN. I.A. |                |

